REMARKS

In the Office Action mailed on December 14, 2005, the Examiner took the following action: (1) rejected claims 1-17 under 35 USC §101 as being non-statutory; (2) rejected claims 10-17 under 35 USC §112, second paragraph, as omitting an essential element; and (3) rejected claims 1-25 under 35 USC §102(e) as being anticipated by Frerebeau (U.S. App. Pub. No. US 2003/0135501). Applicants respectfully request reconsideration of the pending claims in view of the foregoing amendments and the following remarks.

REJECTIONS UNDER 35 USC §101

The Examiner rejected claims 1-17 under 35 USC §101 as being non-statutory. Specifically, the Examiner rejected claims 1-9 as being non-statutory for not being tangible, and rejected claims 10-17 as being non-statutory as not being tangible.

35 USC § 101 states:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The Examiner rejected claims 1-9 on grounds that "a method is not limited to a tangible embodiment," and that these claims "are non-statutory as not being tangible." (Office Action p. 2, ¶ 3). The Examiner also rejected claims 10-17 on grounds that "all of the elements and features of the claimed system can be implemented in software alone," and that these claims "are non-statutory as not being tangible." (Office Action p. 2, ¶ 4). However, the Examiner does not cite

the specific patent statute and/or rule that limits statutory matter to only "a tangible embodiment." Applicants respectfully ask the Examiner to identify the specific patent statute and/or rule that limits subject matter to only "a tangible embodiment," and to do so with particularity and analysis.

While the Examiner does cite 35 USC § 101, Applicants submit that this statute never explicitly or implicitly limits subject matter to only "a tangible embodiment." If it does, Applicants ask the Examiner to identify that language with particularity and analysis. Indeed, Applicants submit that 35 USC § 101 implicitly allows subject matter to include more than just "a tangible embodiment." A "process" is one of the four expressly enumerated patentable subject matters. However, a process (e.g., steps, method, procedure, etc.) may be and often is largely intangible.

More specifically, Applicants respectfully submit that amended claims 1-9 properly recite statutorily allowable subject matter. Claims 1-9 are proper statutory process claims under 35 USC § 101 because these claims are properly "limited by the language in the claims to a practical application within the technological arts." § MPEP 2106.IV.B.2.(b); *citing Diamond v. Diehr*, 450 U.S. 175, 183-4, 209 USPQ 1, 6 (1981). "Only when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under 35 USC 101." § MPEP 2106.IV.(e).

Without the Examiner providing particular identification of a statute or rule that limits subject matter to only "a tangible embodiment," Applicants respectfully submit these claims are statutory. Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 1-17.

REJECTIONS UNDER 35 USC §112, SECOND PARAGRAPH

Claims 10-17 stand rejected under 35 USC §112, second paragraph, as being indefinite. 35 USC § 112, second paragraph, states:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The Examiner rejected claims 10-17 under 35 USC § 112, second paragraph, "as being incomplete for omitting an essential element, such omission amounting to a gap between the elements," and that "the omitted element is hardware." (Office Action p. 3, ¶ 6). Applicants have amended claims 10-17 to recite a "computing-based system," and respectfully submit that the amended claims are not indefinite. More specifically, elements of a computing-based system may be hardware components, non-hardware (*e.g.* software) components, or combinations thereof.

Applicants submit that elements of a claim directed to a "computing-based system" need not be coupled by "hardware," and that claims 10-17 are not indefinite. Without the Examiner providing particular identification regarding how the statutory language of 35 USC § 112, second paragraph requires the elements of a "computing-based system" to be coupled by "hardware," Applicants submit these claims are not indefinite, and respectfully request reconsideration and withdrawal of the rejection of claims 10-17.

REJECTIONS UNDER 35 USC §102(E)

Claims 1-25 have been rejected under 35 USC §102(e) as being anticipated by Frerebeau (U.S. App. Pub. No. US 2003/0135501). Applicants respectfully traverse these rejections.

In general, Applicants teach methods of providing localization of a web service. In one embodiment, a method comprises receiving a page request from a requester of the web service, and identifying a localization attribute in the page request. A culture associated with the page request is identified, and one or more values associated with the localization attribute are also identified. The method further includes referencing a satellite assembly (*e.g.* in one aspect, a dynamically linked library) (Specification, p. 7, lines 9-12) associated with the identified culture to locate an identifier associated with each value associated with the localization attribute. The satellite assembly may be configured to enable execution of a script embedded in a requested page. (Specification, p. 7, lines 9-12; p. 4, lines 11-13; p. 10, lines 14-16; p. 9, lines 17-19). In one particular embodiment, for example, the satellite assembly may be configured to follow Active Server Pages (ASP.NET) guidelines. (Specification, p. 10, lines 14-16). The method further includes replacing references in the requested page to one or more attributes or values in the page request with content associated with the identifier located in the satellite assembly to provide a culture-dependent response, and transmitting the culture-dependent response to the requester of the web service.

Frerebeau (U.S. App. Pub. No. US 2003/0135501)

Frerebeau describes localizing the content of a reference document 8 using a localization tool 11. As best shown in Figure 1 of Frerebeau, the localization tool 11 receives the reference document 8 and a translation file 10 and formulates a localized file 13. According to Frerebeau, the translation file 10 constitutes the content model which specifies the positions of titles and paragraphs, indicates which information is to be provided, and which information is to be localized. (Para. 0085). Thus, Frerebeau teaches that the localization tool 11 produces the localized file 13 (*e.g.* a web page) from the reference file 8 and the translation file 10 by replacing the localization tags of the reference file 8 with the localized values of the identifiers given by the appropriate translation file 10. (Para. 0086).

Frerebeau does not disclose, teach, or fairly suggest the methods and systems taught by Applicants. Specifically, Frerebeau fails to teach or fairly suggest *referencing a satellite assembly associated with the identified culture to locate an identifier associated with each value associated with the localization attribute, the satellite assembly being configured to enable execution of a script embedded in a requested page*, as recited in claim 1 for example. As described in Applicants' detailed description, methods and systems of the invention may include a satellite assembly configured to enable execution of a script embedded in a requested page (Specification, p. 4, lines 11-13; p. 10, lines 14-16; p. 9, lines 17-19). In one particular embodiment, the satellite assembly may be configured to follow Active Server Pages (ASP.NET) guidelines. (Specification, p. 10, lines 14-16). This capability may be important, for example, for enabling server execution of scripts embedded in web pages. (Specification, p. 4, lines 11-13). There is no

teaching or suggestion in Frerebeau of at least these aspects of Applicants' invention.

Claims 1-9

Turning now to the specific language of the claims, Claim 1 recites

> A method of providing localization of a web service, comprising:
> receiving a page request from a requester of the web service;
> identifying a localization attribute in the page request;
> identifying a culture associated with the page request;
> identifying one or more values associated with the localization attribute;
> *referencing a satellite assembly associated with the identified culture to locate an identifier associated with each value associated with the localization attribute, the satellite assembly being configured to enable execution of a script embedded in a requested page*;
> replacing references in the requested page to one or more attributes or values in the page request with content associated with the identifier located in the satellite assembly to provide a culture-dependent response; and
> transmitting the culture-dependent response to the requester of the web service. (emphasis added).

As described more fully above, Frerebeau does not disclose, teach, or fairly suggest the method recited in claim 1. Specifically, Frerebeau fails to teach or fairly suggest a method that includes *referencing a satellite assembly associated with the identified culture to locate an identifier associated with each value associated with the localization attribute, the satellite assembly being configured to enable execution of a script embedded in a requested page* as recited in claim 1. The Office cites Frerebeau for referencing a satellite assembly associated with the identified culture to locate an identifier associated with each value associated with the localization attribute, however, there is no indication in Frerebeau of the

satellite assembly being configured to enable execution of a script embedded in a requested page as recited in claim 1.

Accordingly, claim 1 is allowable over Frerebeau for at least this reason. Claims 2-9 depend from claim 1 and are allowable at least due to their dependency on claim 1, and also due to additional limitations recited in those claims.

Claims 10-17

Similarly, claim 10 recites:

> A computing-based system for providing localization of a web service, comprising:
>
> a culture identification module configured to identify a culture associated with a page request;
>
> a localization values parsing module configured to identify a localization attribute in the page request and identify localization attributes and localization values associated with the page request;
>
> a key values parser configured to locate localized content associated with the localization attributes and localization values and to designate the localized content to replace content referenced by the localization attributes and localization values;
>
> *a satellite assembly associated with the identified culture that includes the localized content located by the key values parser, the satellite assembly being configured to enable execution of a script embedded in a requested page*; and
>
> wherein the localized content is associated with the identified culture and is utilized when a page requested by the page request is served to an agent making the page request. (emphasis added).

As described more fully above, Frerebeau does not disclose, teach, or fairly suggest the system recited in claim 10. Specifically, Frerebeau fails to teach or fairly suggest a computing-based system that includes *a satellite assembly associated with the identified culture that includes the localized content located by*

the key values parser, the satellite assembly being configured to enable execution of a script embedded in a requested page as recited in claim 10. Therefore, claim 10 is not anticipated by Frerebeau. Claims 11-17 depend from claim 10 and are allowable at least due to their dependency on claim 10, and also due to additional limitations recited in those claims.

Claims 18-25

Claim 18 recites:

> One or more computer-readable media containing computer-executable instructions that, when executed on a computer, perform the following steps:
>
> receiving a page request for web content for a preferred culture;
>
> identifying a requested culture from the page request;
>
> determining if localized web content corresponding to the preferred culture is available;
>
> localizing the web content for the preferred culture if localized web content is available for the preferred culture; and
>
> localizing the web content for a default culture if localized web content is not available for the preferred culture, *wherein at least one of localizing the web content for the preferred culture and localizing the web content for a default culture includes referencing a satellite assembly to locate a localized content associated with at least one of the preferred culture and the default culture, the satellite assembly being configured to enable execution of a script embedded in a requested page.* (emphasis added).

Again, as described more fully above, Frerebeau does not disclose, teach, or fairly suggest the computer-readable media recited in claim 18. Specifically, Frerebeau fails to teach or fairly suggest a computer-readable media that includes *wherein at least one of localizing the web content for the preferred culture and localizing the web content for a default culture includes referencing a satellite*

assembly to locate a localized content associated with at least one of the preferred culture and the default culture, the satellite assembly being configured to enable execution of a script embedded in a requested page as recited in claim 18. Therefore, claim 18 is not anticipated by Frerebeau. Claims 19-25 depend from claim 18 and are allowable at least due to their dependency on claim 18, and also due to additional limitations recited in those claims.

CONCLUSION

For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1-25 and allowance of same. If any issue remains unresolved that would prevent allowance of this case, the Examiner is kindly invited to contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Dated: Feb. 15, 2006 By: Dale C. Barr

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